



FIDUCIARY BOARD

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109

August 16, 2017
9:30 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Catherine Robbins

Telephonically Present:

Deborah Primock

Diana Corry

Elaine Acosta Sweet

Leonard Montanaro

Honorable Jay Polk

Gary Krcmarik

Emily Kile

Absent:

Teresa Lancaster

OTHER ATTENDEES:

AOC Staff:

Mark Wilson

Michelle Martinez

Hal White

Sheryll Prokop

Katherine Novak

Hal White

Pasquale Fontana

Carol Mitchell

David Whitley (telephonic)

Guests:

Bradley Torch

CALL TO ORDER

Called to Order By:

Deborah Primock, Chair

Time:

9:38 a.m.

1) PENDING COMPLAINTS:

1-A: Review, discussion and possible action regarding complaint numbers 17-0018, 17-0019 and 17-0020 involving license holders Ayudando Alpha, Inc. and Bradley Torch.

Individual Addressing the Board:

Pasquale Fontana

Motion:

Move to go into Executive Session to receive advice of counsel and to discuss confidential information.

Motion Proposals:

| | |
|--------|--------------------|
| First | Honorable Jay Polk |
| Second | Emily Kile |

Motion Results:

Pass

Board Entered Executive Session:

9:56 a.m.

Return to Regular Session:

10:14 a.m.

Discussion:

It is recommended that the Board accept the findings of the Probable Cause Evaluator and enter a finding that probable cause exists to support summary suspension of Bradley Torch's and Ayudando's licenses 20763 and 20797, respectively, for the violations described in the Investigation Summary.

Furthermore, it is recommended that the Board make a finding that the public health, safety or welfare is at risk and requires emergency suspension of both licenses. As described set forth in the Investigation Summary, among other things (i) Torch has made false statements in connection with his application for licensure and failed to preserve and protect assets placed in his possession and control, and (ii) Ayudando has misappropriated assets.

It is further recommended the Board issue an emergency summary suspension of both licenses.

Motion: Consideration of and motion to accept staff's recommendation to find the public health, safety or welfare is at risk and issue an emergency summary suspension for Ayudando Alpha, Inc. license number 20797.

Motion Proposals: First Emily Kile
Second Leonard Montanaro

Motion Results: Pass
Recused Catherine Robbins

Motion: Consideration of and motion to accept staff's recommendation to find the public health, safety or welfare is at risk and issue an emergency summary suspension for Bradley Torch, license number 20763.

Motion Proposals: First Emily Kile
Second Gary L. Krcmarik

Motion Results: Pass
Recused Catherine Robbins

Motion: Consideration and motion to have Catherine Robbins sign the orders on behalf of the Chair.

Motion Proposals: First Elaine Acosta Sweet
Second Hon. Jay M. Polk

Motion Results: Pass

CALL TO THE PUBLIC

Individuals Addressing the Board: None

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Leonard Montanaro
Second Emily Kile

Motion Results: Pass

Time: 10:38 a.m.

Initials: AO